

& BARCLAY

LLP  
ALAN R. PETERMAN  
PARTNER

ONE PARK PLACE  
300 SOUTH STATE STREET  
SYRACUSE, NEW YORK 13202  
T 315.425.2700 • F 315.425.2701

DIRECT DIAL 315.425.2775  
DIRECT FAX 315.425.8575  
APETERMAN@HBLAW.COM

July 27, 2010

**VIA CM/ECF**

Hon. Michael L. Orenstein  
U.S. Magistrate Judge  
U.S. District Court for the Eastern District of New York  
U.S. Courthouse  
100 Federal Plaza  
Central Islip, NY 11722-4438

Re: Allen v. Devine  
Civil Action No. 2:09-cv-00668-ADS-MLO

Dear Magistrate Judge Orenstein:

By Memorandum of Decision and Order dated July 24, 2010, Judge Orenstein granted Defendant Bruce Buzil's motion to dismiss the Plaintiff's Amended Complaint in the above-referenced action and dismissed Mr. Buzil from the action. This letter is to inquire whether, in light of the aforementioned dismissal, my appearance at next week's status conference will be required.

Please let me know whether my appearance is necessary. Thank you for your consideration in this matter.

7/29/10

U.S. defendant, Buzil, has  
been dismissed. The counsel  
need not appear unless there is  
a cross-claim against him  
presented by a surviving defendant.  
cc: All Counsel of Record  
Via CM/ECF

Respectfully,

*Alan R. Peterman*  
Alan R. Peterman  
AP-1698

*So Ordered*

*USAFT*